

II. REGIONAL LAND MANAGEMENT

Department of Natural Resources Management Plans for Denali Highway Lands

DNR management policies for the Denali Highway region are included in three management plans, corresponding with the three river drainages in the region. The Copper River Basin Area Plan includes a relatively small section of land on the eastern end of the Denali Highway that includes the land around Swede Lake and Paxson Mountain (DNR and Alaska Department of Fish & Game 1986). The Tanana Basin Area Plan includes the Delta River drainage section of the Denali Highway, from just east of the Tangle Lakes almost to the Maclaren River (Subregion 5), and the western end of the highway (Subregion 4) that is drained by the Nenana River (DNR 1991). The central section of the Denali Highway from the Maclaren River west to Brushkana Creek is included in the Susitna Area Plan (DNR et al., 1985).

Land Designations on Denali Highway Lands

State of Alaska lands are multiple use (also called multi-use) lands unless otherwise restricted. Denali Highway lands are multi-use lands, with the exception of the TLAD/SUA, a 63,620 acre block of land on the south side of Denali Block I, designated a “special use area” (Figure 4). The TLAD/SUA is a state designation for land which encloses the northern section of the TLAD, a 226,660 acre block found both north and south of the Denali Highway (Figure 1).

Generally Allowed Uses

Generally allowed uses on most Denali Highway lands managed by DNR/DMLW include hunting, fishing, berry picking, hiking, backpacking, skiing, climbing, bicycling, travel by horse or dogsled or with pack animals or livestock. Other generally allowed off-road uses include using a powerboat, raft or canoe, landing an aircraft, using a highway vehicle with a curb weight of up to 10,000 pounds, or an Off Highway Vehicle (OHV) like snowmobile or four-wheeler with a curb weight of up to 1,500 pounds, if the off-road use does not cause water quality degradation, alteration of drainage systems, significant rutting, ground disturbance or thermal erosion (DNR 2004).

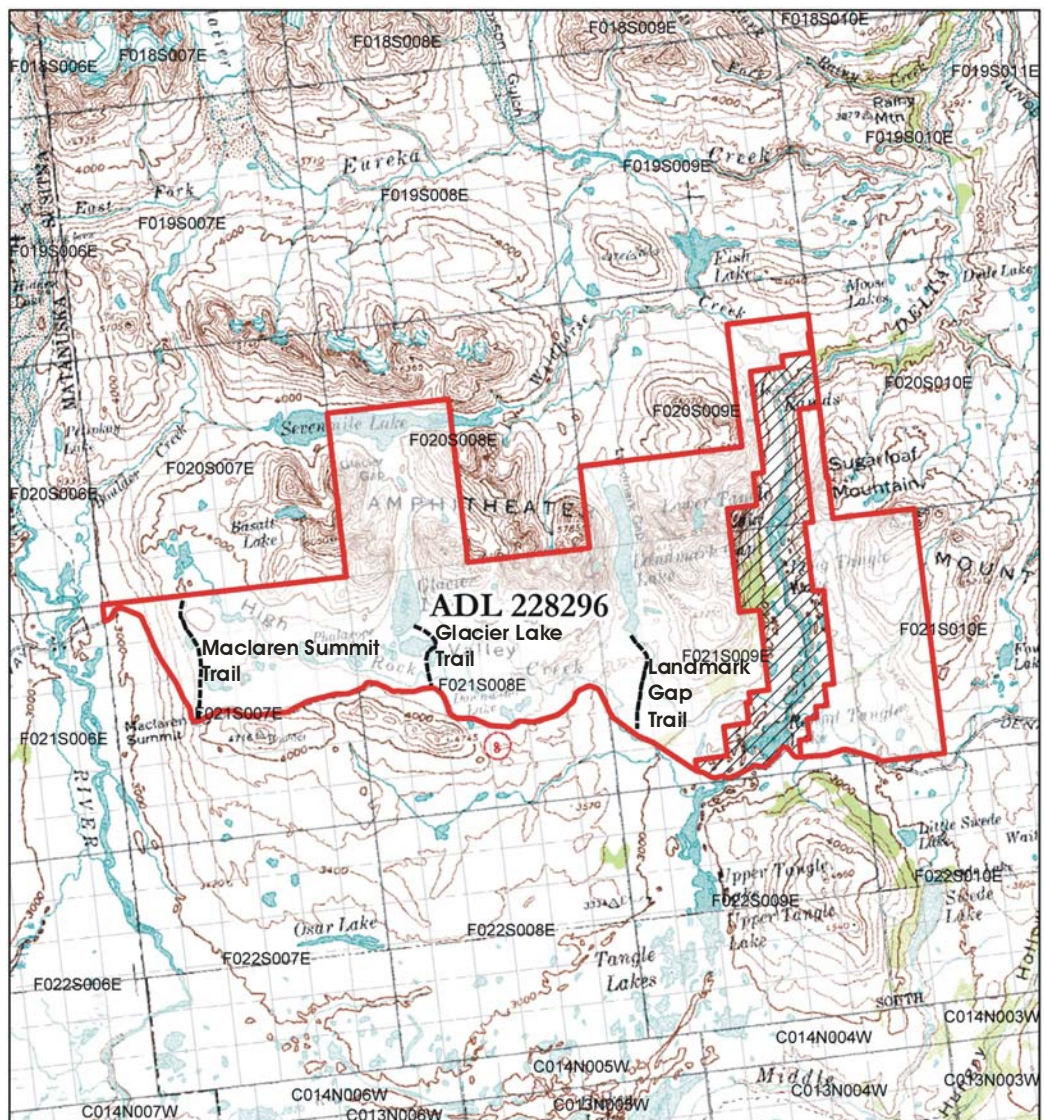
Subsistence hunting on state lands is regulated by the Alaska Department of Fish and Game (ADF & G). The Denali Highway is in Game Management Unit 13, with large mammal hunting administered under the Tier II system.

Tangle Lakes Archaeological District/Special Use Area Restrictions

The 63,620 acres of the TLAD/SUA have more use restrictions than most other Denali Highway lands. Between May 18 and October 18 motorized vehicles in the TLAD/SUA are restricted to the main trails (Landmark Gap, Glacier Gap, Maclaren Summit, and the first one-third mile of Seven Mile Lake) that have been approved for OHV and other vehicle use. Between October 19 and May 17 OHVs are legal to use in the TLAD/SUA provided there is at least one foot of snow or six inches of ground frost.

Leasehold Location Order No. 23, which established the TLAD/SUA, mandates that there “will be a restriction on mineral rights to protect cultural resources.” Thus the TLAD/SUA is open to staking for mining claims, but the leasehold location order

Tangle Lakes Archaeological District Special Use Area



Legend

- Tangle Lakes Archaeological District SUA
- Federally Managed Delta
- Designated Trails



Alaska Department
of Natural Resources
Division of Mining, Land & Water

Figure 4

requires that a lease be put in place before any mining take place on TLAD/SUA lands. The lease provides DNR greater management flexibility than a traditional mining claim.

Lands Permits and Leases

A major distinction is made by the State of Alaska between recreational and commercial use of State lands. Recreational use of the Denali Highway lands is open to the generally allowed uses of state land stated above. Commercial use of these lands is subject to permitting or leasing processes. The DMLW issues land permits and leases for DNR. Within the Division, the Lands section issues permits and leases pertaining to general commercial use on state lands, and the Mining section issues leases pertaining to mining activities.

The Lands section issues permits for temporary, short-term commercial activities, and leases for long-term, permanent installations. Permits issued are either the very short term “commercial recreation permits”, for activities like guided hunting spike camps, that last less than 14 days, or “land use permits”, for longer term activities like guided hunting and fishing base camps, that may last longer than 14 days. Activities associated with the land use permits might have some ground disturbance activities associated with them, like the digging of an outhouse hole or the leveling of an area for the erection of a weatherport. Land use permits, unlike commercial recreation permits, require an application, insurance and bonding.

Leases issued by DNR grant land rights that, unlike permits, are not readily revocable. They are generally from 10 to 30 years in duration, and may be transferred or sold to others. Leases are issued for commercial establishments like lodges that are on permanent foundations.

Mining Claims and Leases

The Mining section of DNR/DMLW administers mining claims and issues mineral leases on state land. This can include the shorter term “prospecting sites” as well as mining claims and mining leases. Mining leases are issued for larger scale, longer term operations, and give operators legal rights that can be sold. Upland mining leases are issued for the ore body area, and mill site leases are issued for infrastructure areas (buildings, waste rock piles, tailing ponds).

Large mine developments trigger the State’s Large Mine Permitting Process. Mining operations that result in water discharge or impact wetlands require National Environmental Protection Act (NEPA) [Environmental Impact Statement (EIS) or Environmental Assessment (EA)] federal permits from the U.S. Corps of Engineers (COE) and/or the Environmental Protection Agency (EPA) before the start of mining activities. The participation of these federal agencies initiates Section 106 consultation with the SHPO.